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LEGISLATIVE HISTORY  
Public Law 90-517  
S 3578

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## INDEX AND SUMMARY OF S. 3578

June	3, 1968	Sen. Hollings introduced S. 3578 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
June	27, 1968	Rep. Gettys introduced H. R. 18207 which was referred to House Agriculture Committee. Print of bill as introduced.
July	10, 1968	Senate committee voted to report S. 3578.
July	11, 1968	Senate committee reported S. 3578 with amendment. Senate Report 1380. Print of bill and report.
July	17, 1968	Senate passed S. 3578 as reported.
July	18, 1968	S. 3578 was referred to House Agriculture Committee. Print of bill as referred.
July	23, 1968	House subcommittee approved H. R. 18207 for full committee consideration.
July	25, 1968	House committee voted to report H. R. 18207.
Aug.	2, 1968	House committee reported H. R. 18207 with amendment. House Report 1848. Print of bill and report.
Sept.	16, 1968	House passed H. R. 18207 then passed S. 3578 without amendment. H. R. 18207 was tabled due to passage of S. 3578.
Sept.	26, 1968	Approved: Public Law 90-517.



DIGEST OF PUBLIC LAW 90-517

SOUTH CAROLINA LAND CONVEYANCE. Direct the Secretary of Agriculture to release the condition contained in the deed conveying certain lands to the South Carolina State Commission of Forestry which requires that the lands conveyed be used for public purposes provided the Commission agrees to exchange such lands for lands of comparable value and that the lands acquired by such exchange shall be used for public purposes. Requires the Secretary of the Interior upon application to convey the U. S. mineral interests in such tract to the Commission at a fair market value (or \$1 per application if of only nominal value).







90<sup>TH</sup> CONGRESS  
2D SESSION

# S. 3578

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IN THE SENATE OF THE UNITED STATES

JUNE 3, 1968

Mr. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

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## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That, notwithstanding the provisions of subsection (c) of  
4       section 32 of the Bankhead-Jones Farm Tenant Act, as  
5       amended (7 U.S.C. 1011 (c) ), the Secretary of Agriculture  
6       is authorized and directed to release, on behalf of the United  
7       States, with respect to the following-described lands, the  
8       condition contained in the deed dated June 28, 1955, be-

1 tween the United States of America and the South Carolina  
2 State Commission of Forestry, conveying, pursuant to such  
3 subsection, certain lands, of which such described lands are a  
4 part, to such Commission, which requires that the lands con-  
5 veyed be used for public purposes:

6       A tract consisting of approximately seventy-two acres,  
7 being a portion of the five-hundred-and-ten-acre tract con-  
8 veyed by such deed dated June 28, 1955, which is bounded  
9 on the south by the State Forestry Commission, on the east  
10 by McCray's Mill Club and E. T. Gullidge, on the north by  
11 the State Highway Numbered 763, and on the west by an  
12 unpaved county public road known as the Brunt Gin Road.

13       SEC. 2. The Secretary of Agriculture shall release the  
14 condition referred to in the first section of this Act only  
15 with respect to the lands comprising the tract of land de-  
16 scribed in such section (containing approximately seventy-  
17 two acres) and only after the Secretary of Agriculture and  
18 the South Carolina Commission of Forestry have entered  
19 into an agreement in which such commission, in considera-  
20 tion of the release of such condition, agrees that the lands  
21 with respect to which such condition is released shall be  
22 exchanged for lands of comparable value and that the lands

1 so acquired by exchange shall be subject to the condition,  
2 with respect to the use of such lands for public purposes,  
3 contained in the deed referred to in the first section of this  
4 Act.

**A BILL**

To direct the Secretary of Agriculture to lease, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

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By Mr. HOLLINGS

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JUNE 3, 1968

Read twice and referred to the Committee on Agriculture and Forestry





90TH CONGRESS  
2D SESSION

# H. R. 18207

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1968

Mr. GETTYS introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That, notwithstanding the provisions of subsection (c) of  
4       section 32 of the Bankhead-Jones Farm Tenant Act, as  
5       amended (7 U.S.C. 1011 (c) ), the Secretary of Agriculture  
6       is authorized and directed to release, on behalf of the United  
7       States, with respect to the following-described lands, the  
8       condition contained in the deed dated June 28, 1955, be-

1    tween the United States of America and the South Carolina  
2    State Commission of Forestry, conveying, pursuant to such  
3    subsection, certain lands, of which such described lands are a  
4    part, to such commission, which requires that the lands con-  
5    veyed be used for public purposes:

6       A tract consisting of approximately seventy-two acres,  
7    being a portion of the five-hundred-and-ten-acre tract con-  
8    veyed by such deed dated June 28, 1955, which is bounded  
9    on the south by the State Forestry Commission, on the east  
10   by McCray's Mill Club and E. T. Gullledge, on the north by  
11   the State Highway Numbered 763, and on the west by an  
12   unpaved county public road known as the Brunt Gin Road.

13       SEC. 2. The Secretary of Agriculture shall release the  
14   condition referred to in the first section of this Act only  
15   with respect to the lands comprising the tract of land de-  
16   scribed in such section (containing approximately seventy-  
17   two acres) and only after the Secretary of Agriculture and  
18   the South Carolina Commission of Forestry have entered  
19   into an agreement in which such commission, in considera-  
20   tion of the release of such condition, agrees that the lands  
21   with respect to which such condition is released shall be  
22   exchanged for lands of comparable value and that the lands

1 so acquired by exchange shall be subject to the condition,  
2 with respect to the use of such lands for public purposes,  
3 contained in the deed referred to in the first section of this  
4 Act.

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## A BILL

To direct the Secretary of Agriculture to lease, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

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By Mr. GETRY

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JUNE 27, 1968

Referred to the Committee on Agriculture





Senate

July 10, 1968

10. ELECTRIFICATION; RECREATION. Reps. Goodling and Eshleman commended the Holtwood hydroelectric project on the Susquehanna River in Pa. as a great recreational potential. pp. H6307-8

11. FARM PROGRAM. Rep. Kleppe inserted a copy of his letter to House Members commending the farm bill and urging their "thoughtful consideration." p. H6308

12. FOREIGN AID. Rep. Gonzalez spoke in support of the President's foreign aid program. p. H6308

Rep. Matsunaga stated in considering the foreign aid bill the House should consider "the impact of the foreign aid program upon the peoples of developing nations" and inserted an article, "Still Much To Be Done in Agriculture Aid." pp. H6316-18

SENATE

13. APPROPRIATIONS. The Appropriations Committee reported with amendments July 9, during adjournment, H. R. 17023, the independent offices and HUD appropriation bill (S. Rept. 1375). p. S8342

A subcommittee of the Appropriations Committee approved for full committee consideration H. R. 18188, the Department of Transportation appropriation bill. p. D657

14. LANDS. Passed without amendment H. R. 16065, to direct the Secretary of Agriculture to release certain conditions in deeds conveying lands to Iowa (p. S8391). This bill will now be sent to the President.

The Interior and Insular Affairs Committee reported with amendments S. 1385, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands (S. Rept. 1376). p. S8342

The Agriculture and Forestry Committee voted to report (but did not actually report) the following bills: S. 3578, to authorize release of a condition in a deed conveying certain lands to S. C. (amended) S. 3687, to authorize release of a condition in a deed conveying certain lands to Ohio; and S. 3736, to authorize the sale to Central, N. Mex., of certain lands which were formerly part of the Fort Bayard Military Reservation. p. D656

Sen. Jackson announced a hearing on legislation dealing with Alaska native land claims will be held before the Interior and Insular Affairs Committee on Fri., July 12, in Room 3110, New Senate Office Building. p. S8346

15. WILDERNESS. Passed as reported S. 3502, to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness. pp. S8340-1

Passed as reported S. 3425, to designate certain lands in the Monomoy National Wildlife Refuge Barnstable County, Mass., as wilderness. pp. S8339-40

Passed as reported S. 3379, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N. J., as wilderness. p. S8339

Passed as reported S. 3343, to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness. pp. S8338-9

16. RECREATION. Passed without amendment H. R. 4739, to authorize the Secretary of the Interior to grant long term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif. p. S8340
17. LOANS. Passed without amendment H. R. 15562, to continue for 2 years, through June 30, 1970, the Farmers Home Administration's authority to make loans to lessee-operators of farmland in the State of Hawaii (p. S8341). This bill will now be sent to the President.
18. DAIRY. Passed without amendment S. 3638, to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. p. S8338
19. ELECTRIFICATION. Passed as reported S. 2445, to amend the Federal Power Act to clarify the licensing authority of the Commission and the right of the U. S. to take over a project or projects upon or after the expiration of any license shall be exercised. pp. S8389-90
20. TRANSPORTATION. Concurred in House amendments to S. 3102, to postpone for two years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards (pp. S8388-9). This bill will now be sent to the President.
21. NOMINATION. Confirmed the nomination of James H. McCrocklin to be Under Secretary of Health, Education, and Welfare. pp. S8337, S8404
22. FARM PROGRAM. The Daily Digest states that the "Committee on Agriculture and Forestry, in executive session, by a vote of 10 to 5, ordered reported without amendments S. 3590, extending and improving programs to maintain farm income, stabilize prices, and assure adequate supplies of agricultural commodities. As approved by the committee the bill would provide a four-year extension of the present farm program, including the class-I milk base program. Committee agreed to strike the title of the bill relative to farm bargaining." p. D656  
Sen. Long, Mo., expressed hope that the Senate will act this year on this bill to "benefit all farmers in Missouri and across the Nation." pp. S8372-3
23. WATERSHEDS. The Agriculture and Forestry Committee approved plans for works of improvement on several watershed projects. p. D656
24. MANPOWER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. 2938, to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended. p. D657
25. HUNGER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. Res. 281, to establish a Select Committee on Nutrition and Human Needs. p. D657





# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C.  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued July 12, 1968  
For actions of July 11, 1968  
90th-2nd; No. 119

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HIGHLIGHTS: House Rules Committee cleared food stamp bill. House committee reported bill to establish Commission on Hunger. House committee reported bill to implement International Coffee Agreement. Senate committee reported farm bill. Senate passed grain inspection bill. Both Houses agreed to conference report on Interior appropriation bill.

### HOUSE

1. FOOD STAMPS. The Rules Committee reported a resolution for the consideration of H. R. 18249, the food stamp bill. p. H6435
2. HUNGER. The Education and Labor Committee reported with amendment H. R. 17144, to establish a Commission on Hunger (H. Rept. 1708). p. H6435
3. COFFEE. The Ways and Means Committee reported with amendment H. R. 18299, to carry out the obligations of the U. S. under the International Coffee Agreement, 1968 (H. Rept. 1704). p. H6435

4. EDUCATION. The Rules Committee reported a resolution for the consideration of H. R. 15067, the Higher Education Act amendments. p. H6435
5. PUBLIC WORKS. The Public Works Committee reported with amendment S. 3710, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control (H. Rept. 1709). p. H6435
6. APPROPRIATIONS. The conferees on H. R. 16913, the agricultural appropriation bill, were given until midnight, July 12, to file a report. p. H6323  
Conferees were appointed on H. R. 18038, the legislative branch appropriation bill (p. H6324). Senate conferees have been appointed.
7. BUILDINGS. Conferees were appointed on S. 222, to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped (p. H6330). Senate conferees have been appointed.
8. HIGHWAYS. Conferees were appointed on S. 3418, the highway authorization bill (p. H6331). Senate conferees have been appointed.
9. WATERSHEDS. The Agriculture Committee approved plans for works of improvement on several watershed projects. p. D668
10. TRADE FAIRS. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) H. R. 18340, amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the U.S. through the use of mobile trade fairs. p. D668
11. PEACH FESTIVAL. Rep. Edmondson invited his colleagues to attend the annual Porter (Okla.) Peach Festival on Aug. 3. p. H6324
12. EMPLOYMENT. Rep. Findley discussed his proposed amendment to the Employment Act of 1946 which he stated "would make the Employment Act more explicit on the matter of full employment and price stability" and "update the intent of Congress on matters concerning the conduct of national policy, and to give price stability the priority it deserves." pp. H6410-14
13. LEGISLATIVE PROGRAM. Rep. Albert announced that the first order of business on Fri. will be the conference report on the Public Law 480 amendments. p. H6405

SENATE

14. FARM PROGRAM. The Agriculture and Forestry Committee reported with amendments S. 3590, to extend and improve legislation for maintaining farm income, stabilizing prices and assuring adequate supplies of agricultural commodities (S. Rept. 1378). p. S8423
15. LANDS. The Agriculture and Forestry Committee reported without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio (S. Rept. 1379), and with amendment S. 3578, to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain

land to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands (S. Rept. 1380). p. S8423

Began consideration of S. 1385, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands. p. S8536

16. OCEANOGRAPHY. The Commerce Committee reported with amendments H. R. 13781, to authorize funds for sea-grant colleges and ocean exploration (S. Rept. 1381). p. S8423
17. TRANSPORTATION. The Commerce Committee reported with amendment S. 858, to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property (S. Rept. 1389). pp. S8423-4
18. GRAINS. Passed as reported H. R. 15794, to provide for United States standards and a national inspection system for grain (pp. S8405-7). At the request of Sen. Mansfield an excerpt from the report listing the significant changes made by the bill was inserted as follows:
- "(1) Inspection would not be required for any shipment of grain in domestic commerce, except grain in a container bearing a grade designation;
- "(2) Additional inspection services, such as inspection of U.S. grain in Canadian ports (now furnished under the Agricultural Marketing Act of 1946), protein tests, and weighing of sacked grain, would be available upon request (now only grading services in the United States are available under the act);
- "(3) The lead time for effecting changes in the standards would be increased from 90 days to 1 year;
- "(4) Submitted samples could be used in lieu of official samples in official inspection of interstate shipments and of grain in Canadian ports;
- "(5) Samplers and laboratory technicians employed by official inspection agencies would be required to have licenses;
- "(6) Inspectors' licenses would be issued for 3-year periods (instead of permanently); and
- "(7) New enforcement procedures would be provided, including refusal of inspection service; examination of records; subpena power; exemption from prosecution of witnesses compelled to give self-incriminating testimony; additional specified offenses; and increased penalties."
19. TRADE. Passed with amendment S. 3065, to provide for temporary injunctions or restraining orders for certain violation of the Federal Trade Commission Act. pp. S8465-80, S8502  
The Commerce Committee voted to report (but did not actually report) S. 3704, to continue authority to promote U. S. foreign commerce through the use of mobile trade fairs (amended). p. D666
20. HOUSING. Conferees were appointed on S. 3497, the housing bill (p. S8480). House conferees have been appointed.

21. APPROPRIATIONS. Both Houses agreed to the conference report on H. R. 17354, the Interior and related agencies appropriation bill, 1969 (includes Forest Service) (pp. S8497-8502, H6324-30). This bill will now be sent to the President.
22. MILITARY CONSTRUCTION. Both Houses agreed to the conference report on H. R. 16703, the military construction authorization bill which includes CCC debt payment for prior years military family housing overseas (pp. S8516-17, H6334-41). This bill will now be sent to the President.
23. HEALTH; SAFETY. The Commerce Committee voted to report (but did not actually report) H. R. 10790, to provide for the protection of the public health from radiation emissions from electronic devices (amended). p. D665  
Sen. Magnuson commended the Council on Family Health for its efforts in helping to educate the public and in developing additional approaches to bring safety to every home. pp. S8412-3
24. WILDLIFE. The Commerce Committee voted to report (but did not actually report) H. R. 25, authorizing cooperation with the States in protecting and developing estuarine area of the counties which have sporting, scenic, or recreational value (amended). p. D666
25. FOREIGN CURRENCIES. Received from this Dept. a report of agreements signed in May and June 1968 for use of foreign currencies. p. S8421
26. WATERSHEDS. Received from this Dept. plans for works of improvement on various watershed projects; to Agriculture and Forestry and Public Works Committees. pp. S8421-1
27. AGING. Sen. Moss announced hearings before the Special Committee on Aging on the "Usefulness of the Model Cities Program to the Elderly," to begin on July 23. p. S8439
28. FLOOD CONTROL. Sen. Mansfield commended Senate passage of the public works rivers and harbors-flood control authorization bill. p. S8444
29. BUDGET. Sen. Case stated "the proliferation of Federal programs and dollars has not...disposed of our problems" and inserted an article, "How Much Can the Federal Budget Do?" p. S8445
30. ENVIRONMENTAL SCIENCES. Sen. Yarborough stated "man is exploiting his environment to the fullest with little regard for the consequences of this development", and inserted articles on the subject. pp. S8457-8
31. POLLUTION. Sen. Bayh discussed efforts by major industries in Indiana to reduce air and water pollution and inserted an article on the subject. pp. S8460-2
32. FARM LABOR. Sen. Morse inserted material reflecting the views of farmers concerning the matter of extension of the National Labor Relations Act provisions to agricultural workers. pp. S8481-71

# Calendar No. 1358

90TH CONGRESS      }  
2d Session            }  
SENATE                }  
REPORT  
No. 1380

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## RELEASE OF CONDITION IN CONVEYANCE TO SOUTH CAROLINA STATE COMMISSION OF FORESTRY

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JULY 11, 1968.—Ordered to be printed

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Mr. HOLLINGS, from the Committee on Agriculture and Forestry,  
submitted the following

### R E P O R T

[To accompany S. 3578]

The Committee on Agriculture and Forestry, to which was referred the bill (S. 3578), to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands, having considered the same, reports favorably thereon with an amendment and recommends that the bill (as amended) do pass.

#### SHORT EXPLANATION

This bill, with the committee amendment, would—

(1) Direct the Secretary of Agriculture to release, with respect to 72 acres, a condition in a conveyance to the South Carolina State Commission of Forestry requiring the lands to be used for public purposes. Such release would be conditioned upon the commission's agreement (A) to exchange the 72-acre tract for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes.

(2) Require the Secretary of the Interior upon application to convey the mineral interests of the United States in such tract to the commission at fair market value (or \$1 per application if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

## DEPARTMENTAL VIEWS

The need for the bill is described in the attached report from the Department of Agriculture favoring enactment. The committee has recommended adoption of the amendment proposed in the Department's letter. The committee amendments follow the pattern established by Public Law 90-307.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., July 3, 1968.

Hon. ALLEN J. ELLENDER,

*Chairman, Committee on Agriculture and Forestry,  
U.S. Senate.*

DEAR MR. CHAIRMAN: As requested, here is the Department of Agriculture's report on S. 3578, "To direct the Secretary of Agriculture to release on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands."

We recommend enactment of this bill with the amendments suggested hereinafter.

S. 3578 would authorize and direct the Secretary of Agriculture to release on behalf of the United States a certain condition contained in a 1955 deed conveying certain described lands to the South Carolina State Commission of Forestry. The condition required that the lands conveyed to the State be used for public purposes and provides for a reversion to the United States if the lands cease to be so used. The bill provides that the Secretary shall release this condition only with respect to lands covered by an agreement between the Secretary and the South Carolina Commission of Forestry which would set forth certain conditions.

The lands involved in S. 3578 were originally acquired by the United States under the provisions of title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). This title authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions he deems will best accomplish title III purposes, but only on condition that the property conveyed is used for public purposes.

The 510-acre tract of land in question here was conveyed to the South Carolina Commission of Forestry on June 28, 1955, subject to the condition that it be used for public purposes. If not so used, ownership would revert to the United States.

We understand that the South Carolina Commission of Forestry is seeking a release of the "public use" condition so that it may exchange approximately 72 acres of the 510-acre tract for certain privately owned lands. The tract is presently a part of the Manchester State Forest administered by the Commission of Forestry. The proposed exchange would enable the commission to consolidate ownership of the land it administers and provide for more efficient management of those lands for forestry and other natural resource conservation purposes. Such an exchange would be consistent with the basic purpose of the public use requirement in the original conveyance to the commission.

Public Law 84-237, as supplemented, and Public Law 90-307, involving lands previously conveyed to Clemson University in South Carolina and to the University of Maine respectively, authorize release of the public use requirement by the Secretary of Agriculture upon agreement with the grantee as provided by S. 3578. Disposal of mineral interests also is authorized by those acts. H.R. 16065 involving lands conveyed to the State of Iowa and S. 3687 involving lands conveyed to the State of Ohio would provide the same authorities.

So that this legislation may be consistent with the preceding legislation referred to, we suggest deletion of section 2 and insertion of the following:

"SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

"SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

"SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

"SEC. 5. The term 'administrative costs' as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest."

This amendment will authorize the Secretary of the Interior, under certain conditions, also to convey to the South Carolina Commission of Forestry all the undivided mineral interests which were reserved to the United States in lands conveyed to the Commission.

Some 836,000 acres of such lands have been conveyed by the United States to various States and State agencies and organizations in a number of separate transactions. All of these conveyances are subject

to the same reversionary clause if the lands are not used for public purposes. The conveyances also included the same mineral rights reservations.

During the intervening years, changes in land use patterns and resource management programs, administrative requirements, and other factors have resulted in the need for others of the respective owning public authorities or agencies to exchange or otherwise dispose of a part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Another such case is before us now. Others may come up in the future.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTNER,  
*Acting Secretary.*



# Calendar No. 1358

90TH CONGRESS  
2D SESSION

## S. 3578

[Report No. 1380]

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### IN THE SENATE OF THE UNITED STATES

JUNE 3, 1968

MR. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 11, 1968

Reported by Mr. HOLLINGS, with an amendment

[Omit the part struck through and insert the part printed in italic]

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## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That, notwithstanding the provisions of subsection (c) of  
4       section 32 of the Bankhead-Jones Farm Tenant Act, as  
5       amended (7 U.S.C. 1011 (c)), the Secretary of Agriculture  
6       is authorized and directed to release, on behalf of the United  
7       States, with respect to the following-described lands, the  
8       condition contained in the deed dated June 28, 1955, be-

1      tween the United States of America and the South Carolina  
2      State Commission of Forestry, conveying, pursuant to such  
3      subsection, certain lands, of which such described lands are a  
4      part, to such Commission, which requires that the lands con-  
5      veyed be used for public purposes:

6            A tract consisting of approximately seventy-two acres,  
7      being a portion of the five-hundred-and-ten-acre tract con-  
8      veyed by such deed dated June 28, 1955, which is bounded  
9      on the south by the State Forestry Commission, on the east  
10     by McCray's Mill Club and E. T. Gulledge, on the north by  
11     the State Highway Numbered 763, and on the west by an  
12     unpaved county public road known as the Brunt Gin Road.

13        SEC. 2. The Secretary of Agriculture shall release the  
14      condition referred to in the first section of this Act only  
15      with respect to the lands comprising the tract of land de-  
16      scribed in such section (containing approximately seventy-  
17      two acres) and only after the Secretary of Agriculture and  
18      the South Carolina Commission of Forestry have entered  
19      into an agreement in which such commission, in considera-  
20      tion of the release of such condition, agrees that the lands  
21      with respect to which such condition is released shall be  
22      exchanged for lands of comparable value and that the lands  
23      so acquired by exchange shall be subject to the condition,  
24      with respect to the use of such lands for public purposes,  
25      contained in the deed referred to in the first section of this

1 Act. The Secretary shall release the condition referred to  
2 in the first section of this Act only with respect to lands  
3 covered by and described in an agreement or agreements  
4 entered into between the Secretary and the South Carolina  
5 Commission of Forestry in which such State agency, in con-  
6 sideration of the release of such conditions as to such lands,  
7 agrees that the lands with respect to which such condition is  
8 released shall be exchanged for lands of approximately com-  
9 parable value and that the lands so acquired by exchange  
10 shall be used for public purposes.

11 SEC. 3. Upon application all the undivided mineral in-  
12 terests of the United States in any parcel or tract of land  
13 released pursuant to this Act from the condition as to such  
14 lands shall be conveyed to the South Carolina Commission  
15 of Forestry for the use and benefit of the Commission by the  
16 Secretary of the Interior. In areas where the Secretary of  
17 the Interior determines that there is no active mineral de-  
18 velopment or leasing, and that the lands have no mineral  
19 value, the mineral interests covered by a single application  
20 shall be sold for a consideration of \$1. In other areas, the  
21 mineral interests shall be sold at the fair market value thereof  
22 as determined by the Secretary of the Interior after taking  
23 into consideration such appraisals as he deems necessary or  
24 appropriate.

25 SEC. 4. Each application made under the provisions of

1 section 3 of this Act shall be accompanied by a nonrefundable  
2 deposit to be applied to the administrative costs as fixed by  
3 the Secretary of the Interior. If the conveyance is made, the  
4 applicant shall pay to the Secretary of the Interior the full  
5 administrative costs, less the deposit. If a conveyance is not  
6 made pursuant to an application filed under this Act, the  
7 deposit shall constitute full satisfaction of such administra-  
8 tive costs notwithstanding that the administrative costs exceed  
9 the deposit.

10 SEC. 5. The term "administrative costs" as used in this  
11 Act includes, in addition to other items, all costs which the  
12 Secretary of the Interior determines are included in a de-  
13 termination of (1) the mineral character of the land in  
14 question, and (2) the fair market value of the mineral  
15 interest.



90TH CONGRESS  
2D SESSION

# S. 3578

[Report No. 1380]

## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

By Mr. HOLLINGS

JUNE 3, 1968

Read twice and referred to the Committee on Agriculture and Forestry

JULY 11, 1968

Reported with an amendment





# *DIGEST of Congressional Proceedings*

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C.  
OFFICIAL BUSINESS  
20250

POSTAGE AND FEES PAID  
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued July 18, 1968  
For actions of July 17, 1968  
90th-2nd; No. 123

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**HIGHLIGHTS:** Senate committee reported school lunch bill. Senate passed vocational education bill with school lunch program amendment. Senate committee voted to report poultry inspection bill. Senate committee reported measure to establish hunger commission. House committee voted to report wilderness bills. Sen. Morse introduced and discussed wheat bill.

### SENATE

1. **VOCATIONAL EDUCATION.** Passed, 88-0, with amendments H. R. 18366, to amend the Vocational Education Act of 1963 (pp. S8799-816, S 8818-29, S8840). Agreed to, 85-0, an amendment by Sen. Javits, modified by agreement to an amendment by Sen. Ellender (pp. S8822-3), to authorize \$50 million for each of fiscal years 1969 and 1970 for school lunch and breakfast programs (pp. S8812-24). Conferees were appointed (p. S8828). S. 3770, a similar bill was indefinitely postponed (p. S8840).

2. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 18188, the Transportation Department appropriation bill (S. Rept. 1415). p. S8737  
Agreed to conference report on H. R. 18038, the legislative branch appropriation bill (pp. S8830-33). This bill will now be sent to the President.
- Began consideration of H. R. 17023, the independent offices and HUD appropriation bill. pp. S8754, S8830, S8836-7
3. HUNGER. The Labor and Public Welfare Committee reported with amendments S. Res. 281, to establish a Select Committee on Nutrition and Human Needs (S. Rept. 1416). p. S8737
4. WILDLIFE. The Commerce Committee reported with amendment H. R. 25, to authorize the Secretary of the Interior, in cooperation with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources (S. Rept. 1419). p. S8737
5. SCHOOL LUNCH. The Agriculture and Forestry Committee reported an original bill S. 3848, "to amend the National School Lunch Act" (S. Rept. 1428). p. S8738
6. HEALTH; SAFETY. The Commerce Committee reported with amendments H. R. 10790, to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products (S. Rept. 1432). This bill was referred to the Labor and Public Welfare Committee with instructions that it be reported back to the Senate by July 25. p. S8738
7. PUBLIC LANDS. Passed as reported S. 3578, to direct the Secretary of Agriculture to release, with respect to 72 acres, a condition in a conveyance to the South Carolina State Commission of Forestry requiring the lands to be used for public purposes. pp. S8742-43
8. OCEANOGRAPHY. The Labor and Public Welfare Committee was granted until the close of business Thurs., July 18, to report H. R. 13781, the sea-grant college proposal. p. S8754
9. REDWOOD NATIONAL PARK. Conferees were appointed on S. 2515, to authorize the establishment of the Redwood National Park, Calif. (pp. S8816-7). House conferees have not been appointed.
10. TECHNICAL SERVICES. Concurred in House amendment to S. 3245, to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965 to make the 1969 authorization \$6.6 million (p. S8830). This bill will now be sent to the President.
11. POULTRY. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendments H. R. 16363, to authorize a more adequate program of poultry inspection in the U. S. p. D695

today as far as possible action before we adjourn is concerned. Nevertheless, I should like to see the bill go to committee forthwith. I should like to have the committee put the staff to work on the preparation of a report with respect to consideration by the committee, and, if any hearings at all can be held before adjournment, I wish we might have a day or two of hearings. If not, I hope we can have at least 2 or 3 days of hearings during the interim period this fall, and preparation of a hearing record for consideration next January.

#### SENATE JOINT RESOLUTION 190— INTRODUCTION OF ADULT EDUCATION WEEK JOINT RESOLUTION

**Mr. MORSE.** Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation designating the period beginning September 1, 1968, and ending September 8, 1968, as "Adult Education Week."

I ask unanimous consent that the joint resolution be printed in the RECORD at the close of my remarks. A companion joint resolution, identical to this, has been introduced on the House side by Representative PERKINS, of Kentucky, the chairman of the House Committee on Labor and Education. It is, on the House side, House Joint Resolution 1319.

The PRESIDING OFFICER. Without objection, it is so ordered.

**Mr. MORSE.** Mr. President, adults produce our goods and services and at the same time they are consumers of our goods and services. They rear our children and future leaders. They run our schools, churches, factories, farms, hospitals, unions, and other organizations. They serve in government at the Federal, State, and local levels including the defense of our country. They vote, make, change, obey, enforce, and carry out our laws.

The complexity and pace of modern life requires at least the equivalent of an eighth-grade education, yet according to our last census 18 million, or one out of seven American adults, lack this basic requirement of living.

Further, the adult entering the work force today will change jobs four to six times before the age of 65. Increasing numbers of job skills are being made obsolete. Thus, the need for training and retraining has mushroomed.

Adult education is not a preparation for life as elementary, secondary, and college education are. Adult education is a vital ingredient to living a productive, responsible, satisfying, and fulfilling life.

Adult or continuing lifelong learning are keys to achieving a truly human and humane existence—a self-fulfilling life—free of prejudice, war, poverty, ignorance, disease, and drudgery.

We have an American Education Week which focuses on elementary and secondary education. We do not have a week that focuses on adult education. Therefore, I would like to introduce the following resolution calling for the week of

September 2–8, 1968, to be designated as Adult Education Week.

I would further like to call attention to the fact that September 8 has been designated by UNESCO as International Literacy Day. It is indeed appropriate that the U.S. Congress and the President of the United States give recognition to all of our formal and informal adult education institutions and organizations.

Mr. President, I introduce the joint resolution to emphasize that desirable objective.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 190) to authorize the President to issue a proclamation designating the period beginning September 2, 1968, and ending September 8, 1968, as "Adult Education Week," introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 190

Whereas education, training, and jobs for the poor permit the people of the United States to exercise their indispensable rights—to earn a respectable living and to be accepted as equally productive members of the society; and

Whereas the complexity of life has been immeasurably heightened by the growth of knowledge, technology, new means of mobility, and communication; and

Whereas all adults can profitably continue their education to assist them in employment skills and meeting their responsibilities as parents and citizens; and

Whereas high-quality, comprehensive and continuing education to meet existing and new needs of adult learners is a fruitful investment for the vitality, security, and prosperity of our citizens and our Nation; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation designating the period beginning September 2, 1968, and ending September 8, 1968, as "Adult Education Week", and calling upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

#### SENATE RESOLUTION 375—RESOLUTION TO PRINT A REVISED EDITION OF THE COMPILATION "FEDERAL CORRUPT PRACTICES AND POLITICAL ACTIVITIES" AS A SENATE DOCUMENT

Mr. CANNON, from the Committee on Rules and Administration, reported an original resolution (S. Res. 375); and submitted a report (No. 1420) thereon, which was ordered to be printed, and the resolution was placed on the calendar, as follows:

S. RES. 375

*Resolved,* That a revised edition of Senate Document Numbered 68 of the Eighty-eighth Congress, entitled "Federal Corrupt Practices and Political Activities" be printed as a Senate document; and that there be printed four thousand additional copies of such document for the use of the Committee on Rules and Administration.

#### SENATE RESOLUTION 376—RESOLUTION TO PAY A GRATUITY TO ADA S. ANDERSON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 376); which was placed on the calendar:

S. RES. 376

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ada S. Anderson, widow of William H. Anderson, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate she was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### SENATE RESOLUTION 377—RESOLUTION TO REFER SENATE BILL 3758 TO THE U.S. COURT OF CLAIMS

Mr. TYDINGS submitted the following resolution (S. Res. 377); which was referred to the Committee on the Judiciary:

S. RES. 377

*Resolved,* That the bill (S. 3758) entitled "A bill for the relief of Gisela Hanke," now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner of the United States Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

#### SENATE RESOLUTION 378—RESOLUTION ON DEATH OF HON. JOE R. POOL, OF TEXAS

Mr. YARBOROUGH submitted a resolution (S. Res. 378) relative to the death of Representative Joe R. Pool, of Texas, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. YARBOROUGH, which appears under a separate heading.)

#### EXTENSION AND AMENDMENT OF THE RENEGOTIATION ACT OF 1951—AMENDMENTS

AMENDMENT NO. 887

Mr. PROXMIRE. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951. This amendment is in two parts. Subparagraph (1) exempts the Renegotiation Board from the limitation on number of employees provided in section Control Act of 1968. Subparagraph (2) provides that, in applying section 201 to other agencies, the Renegotiation Board shall not be taken into account. The purpose for this language is to prevent the

exemption for the Board from having any adverse impact on other agencies.

The urgent need to exempt the Renegotiation Board from the limitation on employees provided in section 201 of the Revenue and Expenditure Control Act of 1968 becomes clear after an analysis of the Board's workload and the way in which it increases.

First. The work of the Board is directly related to the level of Government procurement, primarily military procurement. Any substantial increase in military procurement eventually causes a similar increase in the Board's workload. In fact, there has been a very sharp increase in military procurement in the past few years resulting from the demands created by the Vietnam war. Prime contract awards by the DOD in fiscal year 1965 were \$28 billion, for fiscal year 1967 they were \$44.6 billion, and for fiscal year 1968 they are estimated to have been \$45 billion. This amounts to a 60-percent increase in military procurement since 1965. During the same period, military procurement contracts performed by subcontractors increased from \$8.5 billion to \$15.4 billion, an increase of 80 percent.

Second. These increases in military procurement show up in the renegotiable sales reviewed by the Board, after the normal time lag that occurs between the contract awards and the filings by the contractor. Renegotiable sales increased from \$31.8 billion in fiscal year 1966, to \$33.1 billion in fiscal year 1967, to an estimated \$40.3 billion in fiscal year 1968. Further, this figure is estimated to rise to \$44.5 billion in fiscal year 1969. Renegotiable sales is a major indicator of the workload of the Board.

Third. A second major indicator is the number of filings received from contractors. This number rose from 3,673 filings received in fiscal year 1965, to 3,737 in fiscal year 1967, to 4,552 in fiscal year 1968. There will be an estimated 4,800 filings in fiscal year 1969.

Fourth. A third indicator is the number of cases assigned by the Washington office to the regional boards for full development. Excessive profits are ultimately recovered from these cases. The number of referrals has risen from 355 in fiscal year 1965, to 444 in fiscal year 1966, to 635 in fiscal year 1967, to 827 in fiscal year 1968.

The tremendous upsurge of casework before the Board is also reflected in the backlog of cases which was 422 in fiscal year 1965, was 678 in fiscal year 1967, and will be an estimated 938 in fiscal year 1968.

It is only reasonable that the Board's capability in terms of number of employees is allowed to expand to meet the obvious increase in workload. This, in fact, is the intention of the current appropriation approved by Congress—\$3 million, up about \$600,000 over last year—which permits the Board to have 210 employees. At present, there are 185 employees. But under section 201 of RECA, it would have to roll back to 172 employees.

In summary, the Board's workload and its need for personnel is directly related to the level of military procurement. As military procurement increases,

and it has sharply increased since 1965, the Board's ability to perform its function becomes strained unless it can hire additional employees. Its current appropriation recognizes this need and permits it to hire additional people. It would be inconsistent and unreasonable for Congress to appropriate the funds to hire more people with one hand, and prevent it from so doing with the other.

The PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table.

AMENDMENTS NOS. 889 AND 890

Mr. LONG of Louisiana submitted two amendments, intended to be proposed by him, to House bill 17324, *supra*, which were ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF TRANSPORTATION APPROPRIATION BILL, 1969

AMENDMENT NO. 888

Mr. STENNIS submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 18188) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, the following amendment, namely: page 18, after line 2, insert the following:

"SEC. 208. Positions which are financed by appropriations in this Act which are determined by the Secretary of Transportation to be essential to assure public safety through the operation of the air traffic control system of the Federal Aviation Administration may be filled without regard to the provisions of section 201 of Public Law 90-364."

Mr. STENNIS also submitted an amendment, intended to be proposed by him, to House bill 18188, making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1969—AMENDMENTS

AMENDMENT NO. 891

Mr. BYRD of Virginia submitted an amendment, intended to be proposed by him, to the bill (H.R. 17023) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1969, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 892

Mr. SPARKMAN (for himself, Mr. CLARK, Mr. SCOTT, and Mr. HATFIELD) submitted an amendment, intended to be proposed by them, jointly, to House bill 17023, *supra*, which was ordered to lie on the table and to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 17, 1968, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 660. An act granting the consent of Congress to a Great Lakes Basin compact, and for other purposes;

S. 752. An act to amend sections 203(b)(5) and 220 of the Interstate Commerce Act, as amended, and for other purposes;

S. 1260. An act to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81-845);

S. 1752. An act to amend the act prohibiting fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels;

S. 2986. An act to extend the Agricultural Trade Development and Assistance Act of 1954, as amended, and for other purposes;

S. 3143. An act to amend the Commodity Exchange Act, as amended, to make frozen concentrated orange juice subject to the provisions of such act; and

S.J. Res. 172. Joint resolution extending the duration of copyright protection in certain cases.

NOTICE OF CANCELLATION OF HEARINGS ON S. 3305 AND S. 3306

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce the cancellation of hearings for the consideration of S. 3305 and S. 3306. These bills would improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of certain operations of aircraft.

The hearing, scheduled for July 18, 1968, is canceled until further notice.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1358, 1384, 1385, 1390, 1391, and 1392.

The PRESIDING OFFICER (Mr. McGEE in the chair). Without objection, it is so ordered.

EXCHANGE OF LANDS

The Senate proceeded to consider the bill (S. 3578) to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain land to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 2, line 13, after "SEC. 2." strike out:

The Secretary of Agriculture shall release the condition referred to in the first section of this Act only with respect to the lands comprising the tract of land described in such section (containing approximately seventy-two acres) and only after the Secretary of Agriculture and the South Carolina Commission of Forestry have entered into an

agreement in which such commission, in consideration of the release of such condition, agrees that the lands with respect to which such condition is released shall be exchanged for lands of comparable value and that the lands so acquired by exchange shall be subject to the condition, with respect to the use of such lands for public purposes, contained in the deed referred to in the first section of this Act.

And insert:

The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

On page 3, after line 10, insert a new section, as follows:

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

After line 24, insert a new section, as follows:

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

And on page 4, after line 9, insert a new section, as follows:

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

So as to make the bill read:

S. 3578

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release, on behalf of the United States, with respect to the following-described lands, the condition contained in the deed dated June 28, 1955, between the United States of America and the South Carolina State Commission of Forestry, conveying, pursuant to such subsection, certain lands, of which such described lands are a part, to such Commission, which requires*

that the lands conveyed be used for public purposes:

A tract consisting of approximately seventy-two acres, being a portion of the five-hundred-and-ten-acre tract conveyed by such deed dated June 28, 1955, which is bounded on the south by the State Forestry Commission, on the east by McCray's Mill Club and E. T. Guldridge, on the north by the State Highway Numbered 763, and on the west by an unpaved county public road known as the Brunt Gin Road.

SEC. 20. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1380), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### SHORT EXPLANATION

This bill, with the committee amendment, would—

(1) Direct the Secretary of Agriculture to release, with respect to 72 acres, a condition in a conveyance to the South Carolina State Commission of Forestry requiring the lands to be used for public purposes. Such release would be conditioned upon the commission's agreement (A) to exchange the 72-acre tract for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes.

(2) Require the Secretary of the Interior upon application to convey the mineral in-

terests of the United States in such tract to the commission at fair market value (or \$1 per acre if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

#### DONALD D. LAMBERT

The bill (H.R. 2695) for the relief of Donald D. Lambert was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1406), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE

The purpose of the proposed legislation is to relieve Donald D. Lambert of West Yarmouth, Mass., of liability in the amount of \$2,172.62, representing an overpayment of retired pay after discharge from the temporary retired list of the U.S. Marine Corps in the period from November 30, 1963, to December 31, 1965, due to the fact that the appropriate disbursing officer was not notified of his discharge. The bill would authorize the refund of any amounts withheld or repaid by reason of the liability.

#### STATEMENT

The facts of the case are set forth in House Report No. 1433, which are as follows:

The Department of the Navy in its report to the committee on the bill indicates that it has no objection to the bill.

The individual named in the bill, Donald D. Lambert of West Yarmouth, Mass., was formerly a first lieutenant in the U.S. Marine Corps. He was transferred to the temporary disability retired list on January 1, 1959, and became entitled to retired pay commencing that date. As a result of a periodic physical examination, it was determined that First Lieutenant Lambert's disability had decreased to less than 30 percent. Accordingly, he was discharged from the naval service with entitlement to disability severance pay, effective November 30, 1963. First Lieutenant Lambert's discharge terminated his right to monthly retired pay and created an entitlement to severance pay, payable in a lump sum. However, for an undetermined reason, the orders effecting the discharge were not received by the cognizant disbursing officer. As a result, severance pay was not paid and monthly payments of retired pay were erroneously continued through December 31, 1965. The erroneous payments of retired pay totaled \$5,022.62. First Lieutenant Lambert was entitled to severance pay in the amount of \$2,850 which he did not receive. He was overpaid the net sum of \$2,172.62.

The applicable statute governing payment of disability severance pay does not explicitly specify that payment will be made in a lump sum. Further, a determination of the amount of severance pay requires the application of relatively complex procedures with which the average service member cannot be expected to be familiar. As was observed in the Navy Department report, First Lieutenant Lambert might reasonably have assumed that the payment he continued to receive after his discharge represented installment payments of the severance pay to which he was entitled.

In its report, the Navy Department stated that former Lieutenant Lambert was entitled to a disability severance payment in the amount of \$2,850 and this amount was deducted from the amount he was overpaid in the form of temporary disability retired pay. The amount stated in the bill is the

balance of the money he received, that is, \$2,172.62. The bill would merely relieve him of the liability of repaying this amount. The committee has determined that Mr. Lambert is equitably entitled to relief of the liability of repaying that amount. The evidence submitted to the committee in connection with the matter establishes the fact that Mr. Lambert is married and supports a wife and four children, the youngest of whom is about 3 years of age. Correspondence filed with the committee indicates that in 1966, he was still obligated to complete payments on his obligation to a hospital for an eye operation and that at that time he was teaching high school and supplemented his income with nightwork on the police force of his locality. This is a case in which a young man was separated from the service because of a disability and then secured employment as a schoolteacher in a small town in order to support his family. It is clear that this obligation has imposed a hardship upon him and under the circumstances the committee feels that relief is justified. The committee has determined that the amendment suggested by the Navy does not appear to be necessary since it refers to a claim which has not been asserted.

The committee, after a review of all of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 2695, be considered favorably.

#### JAMES M. YATES

The bill (H.R. 3681) for the relief of James M. Yates was considered, ordered to a third reading, read the third time, and passed.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1407), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE

The purpose of the proposed legislation is to relieve James M. Yates, of St. Louis, Mo., a member of the U.S. Army, of liability of \$238.50 representing compensation paid him in the commutation of subsistence during his training under the Reserve Officers' Training Corps program. The bill would authorize the refund of any amounts withheld or repaid by reason of the liability.

#### STATEMENT

The facts of the case are set forth in the House report on this legislation and are as follows:

The Department of the Army in its report, to the committee on the bill stated that it was not opposed to legislative relief. The report of the Comptroller General, while questioning relief on the grounds of general policy, indicated that the determination as to whether relief should be extended in this particular case was a matter for determination by Congress.

James M. Yates graduated from Washington University, St. Louis, Mo., with a bachelor of science degree in June of 1961. As is indicated in the Army report, at that time he had completed military science 202 but had not completed military science 201. On September 18, 1961, he entered the university school of business administration for graduate work and enrolled in military science 201 and military science 301 concurrently. Normally, military science 201 and 202 are completed before enrolling in military science 301 but the "compressed course" is authorized in certain circumstances. He completed military science 201 and 301 on January 13, 1962. On February 12, 1962, he signed an advanced Reserve Officers' Training Corps course contract with an effective date of September 18, 1961.

In March 1962, he was paid \$147.60 for 164 days' subsistence for the period of September 18, 1961, through February 28, 1962. During the second semester of graduate study, Mr. Yates completed military science 302 and was paid \$90.90 for 117 days' subsistence for the period ending June 10, 1962. In his second year of graduate school, Mr. Yates completed military science 401 and 402 and upon graduation was appointed a second lieutenant, Signal Corps.

The problem in this case is that despite the fact that Mr. Yates completed the Reserve Officers' course which obviously was the result sought to be encouraged by provision for subsistence payments, paragraph 31(b) of Army Regulation 145-350, in effect at the time in question, provides that the advanced Reserve Officers' Training Corps course contract may not be signed and commutation of subsistence is not authorized for compressed course students until completion of MS III (301 and 302). The Army report concluded that Lieutenant Yates signed an "unauthorized contract" because of the technical requirements of the regulation and for this reason was held to have been paid \$238.50 for commutation of subsistence between September 18, 1961, and June 10, 1962, erroneously.

Lieutenant Yates was notified of the erroneous payment and collection action by the Finance Center, U.S. Army, began in November 1964. By April 1965, the total indebtedness of \$238.50 was collected from Lieutenant Yates' military pay. In August 1965 he was released from active duty with the Army.

This committee has concluded that this most technical interpretation has resulted in an unfair requirement that Mr. Yates repay this amount. It appears that had he taken the courses in the normal order, he would clearly have been entitled to the subsistence. He earned his Reserve commission and served the full period of his required active duty. It seems unfair for the Government at this stage to require repayment. In this connection, the Army stated its reasons for not opposing the bill as follows:

"Department of the Army records indicate that the overpayment was caused by administrative error of Department of the Army personnel and that the payments were received by Lieutenant Yates in good faith. He advises that he was married on July 2, 1963, and his first child was born in May 1964. While in the Army, he supported his family on his Army pay. As a result of the collection of the overpayment he borrowed money from his father to supplement his Army income. In view of the foregoing, the Department is not opposed to the bill."

The committee, after a review of all of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 3681, be considered favorably.

#### HENRY GIBSON

The bill (H.R. 8087) for the relief of Henry Gibson was considered, ordered to a third reading, read the third time, and passed.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1412), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE

The purpose of the proposed legislation is to relieve Henry Gibson, a retired Army enlisted man, of liability in the amount of \$1,993.33 representing overpayments of basic pay as a member of the Army for the period from July 1, 1949, to June 30, 1962, as the result of an erroneous certification of his

prior service by the Army Finance Center. This bill would authorize the refund of any amounts withheld or repaid by reason of the liability.

#### STATEMENT

The committee on the Judiciary of the House of Representatives in its favorable report on the bill sets forth the facts in the case and its recommendations as follows:

"The Department of the Army in its report to the committee on the bill indicates that it has no objection to the bill with the amendments recommended by the committee. The report of the Comptroller General recommends the same amendments and questions enactment, while noting that the question of relief in this instance is a matter of policy for the Congress to decide."

In its report to the committee, the Department of the Army outlined the facts which are relevant to the erroneous action which caused the overpayment in Mr. Gibson's case. On July 1, 1962, Mr. Henry Gibson, then a specialist fifth class, in the Army, was retired with retired pay based on 24 years of service. On March 8, 1963, Mr. Gibson was paid \$644.16 for erroneous deductions for separate rations in July and August 1958, and an adjustment of pay from January 1, 1959, through June 30, 1962, computed from records on file at the Army Finance Center. On September 10, 1964, he was paid \$137.76 for an adjustment of pay for the years 1951, 1953, and 1957, based on a restatement of service furnished the Army Finance Center by The Adjutant General. This restatement of service erroneously credits him with 2 additional years of service. Reverification of his service, in October of 1964, revealed that he first enlisted in the Army on November 27, 1929, instead of November 29, 1927, as shown on the previous restatement of service. On February 3, 1965, a recomputation of his account, based on this statement of service, revealed that he received overpayments for the period from October 1, 1949, through June 30, 1962 (including the March 8, 1963, and September 10, 1964, payments), for a total indebtedness to the United States of \$1,978.33. In 1965, a General Accounting Office audit of his account disclosed an additional overpayment of \$5 per month for the period July 1, 1949, through September 30, 1949, increasing his total indebtedness to \$1,993.33. As originally introduced, the bill stated that the overpayments occurred in the period between March 8, 1963, and September 10, 1964; however, Army records disclose that the overpayments were based on the years of service performed from October 1, 1949, through June 30, 1962. This was prior to his retirement, and his retired pay was never adjusted on the basis of the erroneous certification. Collection action on the debt began on December 1, 1965.

In indicating that it has no objection to the bill, the Department of the Army stated that its investigation had disclosed nothing that would indicate that Mr. Gibson was aware that the Army had made an error concerning his period of service for pay purposes. The Army secured information concerning his financial circumstances and concluded that repayment of the debt imposes a severe hardship on Mr. Gibson and his family. These are the considerations that the committee feels justify legislative relief in this instance. In this connection, the Army report stated as follows:

"The Department of the Army does not oppose a bill of this nature when a former serviceman received in good faith erroneous payments made through administrative error and repayment would impose a hardship on the individual. The error in payment in this case resulted from administrative determinations made regarding years of service for basic pay purposes. There is nothing in the record to indicate that Mr. Gibson was specifically informed or knew that he was receiving pay based on erroneous service data. The error was not discovered until more than 2 years





90TH CONGRESS  
2D SESSION

# S. 3578

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IN THE HOUSE OF REPRESENTATIVES

JULY 18, 1968

Referred to the Committee on Agriculture

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## AN ACT

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That, notwithstanding the provisions of subsection (c) of  
4       section 32 of the Bankhead-Jones Farm Tenant Act, as  
5       amended (7 U.S.C. 1011 (e) ), the Secretary of Agriculture  
6       is authorized and directed to release, on behalf of the United  
7       States, with respect to the following-described lands, the  
8       condition contained in the deed dated June 28, 1955, be-

1      between the United States of America and the South Carolina  
2      State Commission of Forestry, conveying, pursuant to such  
3      subsection, certain lands, of which such described lands are a  
4      part, to such Commission, which requires that the lands con-  
5      veyed be used for public purposes:

6            A tract consisting of approximately seventy-two acres,  
7      being a portion of the five-hundred-and-ten-acre tract con-  
8      veyed by such deed dated June 28, 1955, which is bounded  
9      on the south by the State Forestry Commission, on the east  
10     by McCray's Mill Club and E. T. Gulledge, on the north by  
11     the State Highway Numbered 763, and on the west by an  
12     unpaved county public road known as the Brunt Gin Road.

13        SEC. 2. The Secretary shall release the condition referred  
14     to in the first section of this Act only with respect to lands  
15     covered by and described in an agreement or agreements  
16     entered into between the Secretary and the South Carolina  
17     Commission of Forestry in which such State agency, in con-  
18     sideration of the release of such conditions as to such lands,  
19     agrees that the lands with respect to which such condition is  
20     released shall be exchanged for lands of approximately com-  
21     parable value and that the lands so acquired by exchange  
22     shall be used for public purposes.

23        SEC. 3. Upon application all the undivided mineral in-  
24     terests of the United States in any parcel or tract of land  
25     released pursuant to this Act from the condition as to such

1 lands shall be conveyed to the South Carolina Commission  
2 of Forestry for the use and benefit of the Commission by the  
3 Secretary of the Interior. In areas where the Secretary of  
4 the Interior determines that there is no active mineral de-  
5 velopment or leasing, and that the lands have no mineral  
6 value, the mineral interests covered by a single application  
7 shall be sold for a consideration of \$1. In other areas, the  
8 mineral interests shall be sold at the fair market value  
9 thereof as determined by the Secretary of the Interior after  
10 taking into consideration such appraisals as he deems neces-  
11 sary or appropriate.

12 SEC. 4. Each application made under the provisions of  
13 section 3 of this Act shall be accompanied by a nonrefundable  
14 deposit to be applied to the administrative costs as fixed by  
15 the Secretary of the Interior. If the conveyance is made, the  
16 applicant shall pay to the Secretary of the Interior the full  
17 administrative costs, less the deposit. If a conveyance is not  
18 made pursuant to an application filed under this Act, the  
19 deposit shall constitute full satisfaction of such administra-  
20 tive costs notwithstanding that the administrative costs exceed  
21 the deposit.

22 SEC. 5. The term "administrative costs" as used in this  
23 Act includes, in addition to other items, all costs which the  
24 Secretary of the Interior determines are included in a de-

1 termination of (1) the mineral character of the land in  
2 question, and (2) the fair market value of the mineral  
3 interest.

Passed the Senate July 17, 1968.

Attest: FRANCIS R. VALEO.

*Secretary.*



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## AN ACT

To direct the Secretary of Agriculture to lease, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

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JULY 18, 1968

Referred to the Committee on Agriculture





# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C.  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(OR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued July 24, 1968  
For actions of July 23, 1968  
90th-2nd; No. 128

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HIGHLIGHTS: See page 6

### HOUSE

1. **FHA LOANS.** The Rules Committee reported a resolution for the consideration of H. R. 18209, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, and remove the annual ceiling on insured loans. p. H7355

2. HOUSING. Received the conference report on S. 3497, the housing bill (H.Rept.171 pp. H7278-324). The conferees omitted the provision requiring labor standards under the Bacon-Davis Act to be applied in certain housing for rural trainees. The bill also includes provisions for additional rural housing, a flood insurance program administered by HUD with assistance of USDA and other agencies, establishment of new communities, etc. See also Digests 86, 92, and 118.
3. APPROPRIATIONS. The Rules Committee reported a resolution for the consideration of H. R. 18707, the Defense Department appropriation bill, 1969. p. H7355 Conferees were appointed on H. R. 17903, the public works and Atomic Energy Commission appropriation bill, 1969. p. H7221
4. MANPOWER. The Rules Committee reported a resolution for the consideration of H. R. 15045, to extend certain expiring provisions under the Manpower Development Training Act of 1962. p. H7355
5. FISH PROTEIN. The Merchant Marine and Fisheries Committee reported with amendment S. 3030, to develop fish protein concentrate (H. Rept. 1782). p. H7355
6. LANDS. A subcommittee of the Agriculture Committee approved for full committee action H. R. 18207, to permit an exchange of land by the S. C. State Commission of Forestry; H. R. 18033, to release on behalf of the U. S. a condition in a deed conveying certain land to Ohio; and H. R. 774, to provide for payments in lieu of taxes on lands in national forests. p. D726
7. INTERGOVERNMENTAL COOPERATION. A subcommittee of the Government Operations Committee approved for full committee action "a clean bill in lieu of H. R. 16718," the proposed Intergovernmental Cooperation Act. p. D726
8. WATER RESOURCES. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 15731 and S. 3058, to revise the authorization of appropriations for administering the provisions of the Water Resources Planning Act, and H. R. 7804 and S. 224, to provide for the rehabilitation of the Eklutna project, Alaska. pp. D726-7
9. ELECTRIFICATION. Rep. St Germain criticized the "repeated rejection of the Dickey-Lincoln project." pp. H7328-9
10. TAXATION; EXPENDITURES. Rep. Collier stated the 10-percent surcharge tax has "temporarily" helped but predicted "a new and even more serious fiscal crisis ...unless every establishment...receiving Federal funds recognizes the depth of our fiscal problem." p. H7347
11. OPINION POLL. Rep. Ashbrook inserted the results of a questionnaire including items of interest to this Department. pp. H7348-9
12. AFRICAN TOUR. Rep. O'Hara, Ill., inserted Assistant Secretary of State Palmer's discussion of his recent tour of Africa in which he stated that the emphasis almost everywhere is increasingly on agricultural production as the realistic





# *DIGEST of Congressional Proceedings*

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued July 26, 1968  
For actions of July 25, 1968  
90th-2nd; No. 130

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. Senate agreed to housing conference report. House received conference report on road authorization bill. Senate committee voted to report foreign aid authorization bill.

### HOUSE

1. AGRICULTURAL APPROPRIATION BILL. Received the conference report on this bill, H.R. 16913 (H. Rept. 1794) (pp. H7479-82). The conference committee added to the bill a provision for a \$45 million special feeding program to be financed from Sec. 32 funds. Attached to this Digest is a table reflecting the changes agreed upon.

2. LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 4530, to amend the act relating to the issuance of patents for lands held under color of title and to liberalize the requirements for the conveyance of the mineral estate (H. Rept. 1790), and with amendment H. R. 13797, to authorize the sale of certain public lands (H. Rept. 1791). p. H7624  
The Agriculture Committee voted to report (but did not actually report) H. R. 18033, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to Ohio, and H. R. 18207, to direct the Secretary of Agriculture to release a condition in a deed conveying certain lands to the S. C. Commission of Forestry so as to permit such Commission to exchange such lands. p. D742
3. AGING. The Education and Labor Committee reported with amendment H. J. Res. 1371, favoring a White House Conference on Aging (H. Rept. 1792). p. H7624
4. INFORMATION. The Government Operations Committee reported without amendment S. 2060, to extend for 10 years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to U. S. history (H. Rept. 1797). p. H7624
5. EDUCATION. Passed with amendment S. 3769, the proposed Higher Education Amendments of 1968 (pp. H7486-542). Agreed to an amendment to substitute the language of a similar bill, H. R. 15067, which was passed earlier, 389-15, with amendments. A motion by Rep. Utt to recommit the House bill was rejected (p. H7528). H.R. 15067 was tabled (p. H7541).
6. PARKING FACILITIES. The D. C. Committee voted to report (but did not actually report) H. R. 17854, to authorize a program to provide for the construction of parking facilities in D. C. for Government employees and visitors to the District. p. D742
7. RECREATION. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 14735, to establish the Gulf Islands National Seashore, Fla., Ala., La. and Miss., and H. R. 18333, to study the desirability of establishing an Upper Mississippi Valley National Recreation Area, Ill. and Minn. p. D742  
Rep. Sikes commended the bill to implement conservation programs on military reservations which he stated is intended to provide better recreational facilities for every person in the military. p. H7483
8. POVERTY. Rep. Waggoner inserted excerpts from GAO reports showing certain "gross misuses of Federal funds" in the poverty program. p. H7569  
Rep. Berry stated "the Federal Government is deliberately keeping the reservation area Indian a third- or fourth-class citizen, because it refuses to provide a tax incentive to industry locating on these remote reservations to offset...transportation differences." p. H7483
9. IRRADIATED FOOD. Rep. Saylor stated FDA's order "to take irradiated bacon out of Army and Air Force mess halls is further testimony of the need for an investigation of the Atomic Energy Commission's programs." p. H7565





House

August 2, 1968

- 3 -

Select Committee to Study the Unmet Basic Needs Among the People of the United States. pp. S10041-2

8. AID. Sen. Young denounced the "outrageous maladministration by AID officials" in South Vietnam and inserted supporting material. pp. S10022-4
9. CREDIT. Sen. Proxmire inserted the draft of a bill intended to be introduced by him next session which would add a new title to the Truth-in-Lending Act to provide safeguards in the field of credit reporting. pp. S10029-40
10. FOREIGN RELATIONS. Sen. Byrd, Va., objected to the barring of all U. S. imports from and exports to Rhodesia. pp. S10040-1  
Both Houses received from the State Department a report on the extent and disposition of U. S. contributions to international organizations for 1967. pp. S10042, H8194
11. NATIONAL PARKS. Both Houses received from Interior the annual report of the National Park Foundation, covering the period Dec. 18, 1967 through June 30, 1968. pp. S10042, H8194
12. ATOMIC ENERGY. Received from the Atomic Energy Commission a proposed bill to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value and abolish the distinction between the commercial licenses for facilities and certain research and development licenses for facilities; to the Joint Committee on Atomic Energy. p. S10042
13. COMMUNITY DEVELOPMENT. Sen. Nelson commended the community self-determination bill and inserted the first of a series of articles explaining the concepts behind the community corporations and how these programs might work. pp. S10092-100
14. TOBACCO. Rep. Ervin inserted a speech, "The Tobacco Economy in the South and Trends and Facts as Tobacco is Related to Human Health." pp. S10116-8
15. REORGANIZATION. Sen. Monroney expressed regret that the House has not acted on the Senate passed government reorganization bill. pp. S10123-5  
Sen. Mansfield stated "Congress is a year-round job" and urged a study be given to this matter by an appropriate commission. pp. S10110-11
16. RECLAMATION. Sen. Kuchel commended the compromise proposal in the conference report on the Central Arizona project bill. He said the report will be received when Congress reconvenes on Sept. 4. pp. S10132-33
17. STRAWBERRIES. Rep. Morse inserted the testimony of the manager of a grower-owned processing cooperative favoring H. R. 9071, to impose import limitations on prepared or preserved strawberries. pp. S10147-9
18. LANDS. Sen. McGovern announced that a subcommittee of the Interior and Insular Affairs Committee has set hearings Sept. 19 and 20 on a bill to place certain

National Forest lands in New Mexico in trust for the use of the Taos Indians.  
pp. S10044-5

19. CREDIT UNIONS. Sen. Mondale commended the 90th Congress on its actions to modernize and update the Federal Credit Union Act. p. S10045
20. TRADE. Sen. Brewster stated that the hearings on a bill to enable groups of carriers involved in joint-rate arrangements to issue a single bill of lading for an entire intermodal and international journey point out the need for legislation to meet the bill's objectives. pp. S10047-8
21. FARM INCOME. Sen. Church inserted an editorial defending the agricultural industry. p. S10052
22. FARM POLICIES. Sen. Lausche inserted an article criticizing the Government's farm policies as creating "chaotic marketing conditions." p. S10069
23. LEGISLATIVE PROGRAM. The "Daily Digest" states the Senate has as its unfinished business Labor-HEW appropriation bill; Defense foreign aid, and possibly a supplemental--not yet passed by either House; and independent offices-HUD and military construction--in conference. Other bills in conference and yet to be acted on include the farm bill; central Arizona project; food stamps; foreign aid authorizations; Higher Education and Vocational Education Amendments of 1968; and trails system; National Water Commission; and Redwood National Park. p. D779
24. ADJOURNMENT. Agreed to H. Con. Res. 805 with amendment that when the Congress adjourns on Fri., Aug. 2, 1968, it stand adjourned until Wed., Sept. 4, 1968. p. S10129

HOUSE

25. INTERGOVERNMENTAL COOPERATION. The Government Operations Committee reported H. R. 18826, the intergovernmental cooperation bill (H. Rept. 1845). p. H8194
26. LANDS. The Agriculture Committee reported H. R. 18033, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain land to the State of Ohio (H. Rept. 1847), and with amendment H. R. 18207, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to S. C. Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands (H. Rept. 1848). p. H8194
27. APPROPRIATIONS. Rep. Mahon inserted "data on the status of the appropriations bills of the session and congressional actions on them...also...certain overall information as to congressional actions on other features of the President's budget, involving not only appropriations but also certain legislative bills and revenue matters that affect the budget picture." pp. H8185-89

RELEASE OF CONDITION IN CONVEYANCE TO SOUTH  
CAROLINA STATE COMMISSION OF FORESTRY

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AUGUST 2, 1968.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. POAGE, from the Committee on Agriculture,  
submitted the following

R E P O R T

[To accompany H.R. 18207]

The Committee on Agriculture, to whom was referred the bill (H.R. 18207) to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, line 13, delete all of section 2 and insert in lieu thereof the following sections:

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of

the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provision of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

#### SHORT EXPLANATION

This bill, with the committee amendment, would—

(1) Direct the Secretary of Agriculture to release, with respect to 72 acres, a condition in a conveyance to the South Carolina State Commission of Forestry requiring the lands to be used for public purposes. Such release would be conditioned upon the commission's agreement (A) to exchange the 72-acre tract for lands of approximately comparable value, and (B) that the lands acquired by such exchange shall be used for public purposes.

(2) Require the Secretary of the Interior upon application to convey the mineral interests of the United States in such tract to the commission at fair market value (or \$1 per application if of only nominal value).

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

#### DEPARTMENTAL VIEWS

The need for the bill is described in the attached letter from the Department of Agriculture, addressed to Senator Allen J. Ellender, favoring enactment. The committee has recommended adoption of the amendment proposed in the Department's letter. The committee amendments follow the pattern established by Public Law 90-307.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., July 3, 1968.

Hon. ALLEN J. ELLENDER,

*Chairman, Committee on Agriculture and Forestry,  
U.S. Senate.*

DEAR MR. CHAIRMAN: As requested, here is the Department of Agriculture's report on S. 3578, "To direct the Secretary of Agriculture to release on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands."

We recommend enactment of this bill with the amendments suggested hereinafter.

S. 3578 would authorize and direct the Secretary of Agriculture to release on behalf of the United States a certain condition contained in a 1955 deed conveying certain described lands to the South Carolina State Commission of Forestry. The condition required that the lands conveyed to the State be used for public purposes and provides for a reversion to the United States if the lands cease to be so used. The bill provides that the Secretary shall release this condition only with respect to lands covered by an agreement between the Secretary and the South Carolina Commission of Forestry which would set forth certain conditions.

The lands involved in S. 3578 were originally acquired by the United States under the provisions of title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). This title authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions he deems will best accomplish title III purposes, but only on condition that the property conveyed is used for public purposes.

The 510-acre tract of land in question here was conveyed to the South Carolina Commission of Forestry on June 28, 1955, subject to the condition that it be used for public purposes. If not so used, ownership would revert to the United States.

We understand that the South Carolina Commission of Forestry is seeking a release of the "public use" condition so that it may exchange approximately 72 acres of the 510-acre tract for certain privately owned lands. The tract is presently a part of the Manchester State Forest administered by the commission of forestry. The proposed exchange would enable the commission to consolidate ownership of the land it administers and provide for more efficient management of those lands for forestry and other natural resource conservation purposes. Such an exchange would be consistent with the basic purpose of the public use requirement in the original conveyance to the commission.

Public Law 84-237, as supplemented, and Public Law 90-307, involving lands previously conveyed to Clemson University in South Carolina and to the University of Maine respectively, authorize release of the public use requirement by the Secretary of Agriculture upon agreement with the grantee as provided by S. 3578. Disposal of mineral interests also is authorized by those acts. H.R. 16065 involving lands

conveyed to the State of Iowa and S. 3687 involving lands conveyed to the State of Ohio would provide the same authorities.

So that this legislation may be consistent with the preceding legislation referred to, we suggest deletion of section 2 and insertion of the following:

"SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

"SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

"SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made prusuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

"SEC. 5. The term 'administrative costs' as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest."

This amendment will authorize the Secretary of the Interior, under certain conditions, also to convey to the South Carolina Commission of Forestry all the undivided mineral interests which were reserved to the United States in lands conveyed to the commission.

Some 836,000 acres of such lands have been conveyed by the United States to various States and State agencies and organizations in a number of separate transactions. All of these conveyances are subject to the same reversionary clause if the lands are not used for public purposes. The conveyances also included the same mineral rights reservations.

During the intervening years, changes in land use patterns and resource management programs, administrative requirements, and other factors have resulted in the need for others of the respective owning public authorities or agencies to exchange or otherwise dispose of a

part of the title III lands conveyed to them so as to further the purposes and activities of those public bodies. Another such case is before us now. Others may come up in the future.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTNER,  
*Acting Secretary.*



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90<sup>TH</sup> CONGRESS  
2D SESSION

# Union Calendar No. 752

# H. R. 18207

[Report No. 1848]

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1968

Mr. GETTYS introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 2, 1968

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

- 1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2       That, notwithstanding the provisions of subsection (e) of
- 3       section 32 of the Bankhead-Jones Farm Tenant Act, as
- 4       amended (7 U.S.C. 1011 (e) ), the Secretary of Agriculture
- 5       is authorized and directed to release, on behalf of the United
- 6       States, with respect to the following-described lands, the
- 7       condition contained in the deed dated June 28, 1955, be-

1 between the United States of America and the South Carolina  
2 State Commission of Forestry, conveying, pursuant to such  
3 subsection, certain lands, of which such described lands are a  
4 part, to such commission, which requires that the lands con-  
5 veyed be used for public purposes:

6       A tract consisting of approximately seventy-two acres,  
7 being a portion of the five-hundred-and-ten-acre tract con-  
8 veyed by such deed dated June 28, 1955, which is bounded  
9 on the south by the State Forestry Commission, on the east  
10 by McCray's Mill Club and E. T. Gullledge, on the north by  
11 the State Highway Numbered 763, and on the west by an  
12 unpaved county public road known as the Brunt Gin Road.

13       ~~Sec. 2. The Secretary of Agriculture shall release the~~  
14 ~~condition referred to in the first section of this Act only~~  
15 ~~with respect to the lands comprising the tract of land de-~~  
16 ~~scribed in such section (containing approximately seventy-~~  
17 ~~two acres) and only after the Secretary of Agriculture and~~  
18 ~~the South Carolina Commission of Forestry have entered~~  
19 ~~into an agreement in which such commission, in considera-~~  
20 ~~tion of the release of such condition, agrees that the lands~~  
21 ~~with respect to which such condition is released shall be~~  
22 ~~exchanged for lands of comparable value and that the lands~~  
23 ~~so acquired by exchange shall be subject to the condition,~~  
24 ~~with respect to the use of such lands for public purposes;~~

1 contained in the deed referred to in the first section of this  
2 **Act.**

3       *SEC. 2. The Secretary shall release the condition referred*  
4 *to in the first section of this Act only with respect to lands*  
5 *covered by and described in an agreement or agreements*  
6 *entered into between the Secretary and the South Carolina*  
7 *Commission of Forestry in which such State agency, in con-*  
8 *sideration of the release of such conditions as to such lands,*  
9 *agrees that the lands with respect to which such condition is*  
10 *released shall be exchanged for lands of approximately com-*  
11 *parable value and that the lands so acquired by exchange shall*  
12 *be used for public purposes.*

13       *SEC. 3. Upon application all the undivided mineral*  
14 *interests of the United States in any parcel or tract of land*  
15 *released pursuant to this Act from the condition as to such*  
16 *lands shall be conveyed to the South Carolina Commission of*  
17 *Forestry for the use and benefit of the Commission by the Sec-*  
18 *retary of the Interior. In areas where the Secretary of the*  
19 *Interior determines that there is no active mineral develop-*  
20 *ment or leasing, and that the lands have no mineral value, the*  
21 *mineral interests covered by a single application shall be sold*  
22 *for a consideration of \$1. In other areas, the mineral interests*  
23 *shall be sold at the fair market value thereof as determined by*

1     *the Secretary of the Interior after taking into consideration*  
2     *such appraisals as he deems necessary or appropriate.*

3           *SEC. 4. Each application made under the provisions of*  
4     *section 3 of this Act shall be accompanied by a nonrefundable*  
5     *deposit to be applied to the administrative costs as fixed by the*  
6     *Secretary of the Interior. If the conveyance is made, the appli-*  
7     *cant shall pay to the Secretary of the Interior the full admin-*  
8     *istrative costs, less the deposit. If a conveyance is not made*  
9     *pursuant to an application filed under this Act, the deposit*  
10    *shall constitute full satisfaction of such administrative costs*  
11    *notwithstanding that the administrative costs exceed the deposit.*

12          *SEC. 5. The term "administrative costs" as used in this*  
13    *Act includes, in addition to other items, all costs which the*  
14    *Secretary of the Interior determines are included in a deter-*  
15    *mination of (1) the mineral character of the land in question,*  
16    *and (2) the fair market value of the mineral interest.*



90TH CONGRESS  
2d SESSION

# H. R. 18207

[Report No. 1848]

## A BILL

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission on Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

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By Mr. GETTYS

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JUNE 27, 1968

Referred to the Committee on Agriculture

AUGUST 2, 1968

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed





*House*

*Sept 16, 1968*

-3-

11. LANDS. Passed without amendment S. 3578, to direct the Secretary of Agriculture to release, on behalf of the U.S., a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands. This bill will now be sent to the President. H. R. 18207, a similar bill, passed earlier as reported was tabled. pp. H8655-7

~~Passed as reported H. R. 17874, to amend the Act providing for the admission of Alaska into the Union in order to extend the time for filing of applications for the selection of certain lands by such State. pp. H8676-7~~

~~Passed with amendment (to substitute the language of H. R. 13797) S. 220, to give the Secretary of the Interior the legislative authority to sell certain parcels of land upon which an agricultural trespass has been recently discovered. H. R. 13797, a similar bill, passed earlier as reported was tabled. pp. H8662-3~~

~~Passed without amendment S. 3687, to direct the Secretary of Agriculture to release on behalf of the U. S. a condition in a deed conveying certain lands to the State of Ohio. This bill will now be sent to the President. H. R. 18033, a similar bill, passed earlier without amendment was tabled. pp. H8664-5~~

~~Passed as reported H. R. 4530, to authorize the Secretary of the Interior to sell at fair market value the mineral estate in lands heretofore or hereafter patented under the Color of Title Act without regard to whether the lands are subject to a mineral lease or mineral withdrawal. p. H8662~~

12. MILITARY CONSTRUCTION. Conferees were appointed on H. R. 18785, the military construction appropriation bill, 1969. This bill includes funds for payment to the Commodity Credit Corporation on the indebtedness for housing constructed in foreign countries with foreign currencies derived from the sale of surplus commodities. Senate conferees have been appointed. p. H8657

13. INTEREST RATES. Passed under suspension of the rules S. 3133, to extend for two years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues. H. R. 16092, a similar bill, was tabled. pp. H8695-700

14. INTERGOVERNMENTAL COOPERATION. Passed with amendment (to substitute the language of H. R. 18826) S. 698, to strengthen State and local government and improve the relations between those governments and the Federal Government through closer cooperation and coordination of policies and activities, particularly in the administration of Federal grant and loan programs for development assistance and by other means. H. R. 18826, a similar bill, passed earlier under suspension of the rules was tabled. pp. H8705-25

15. FISH PROTEIN. Passed, 218-102, under suspension of the rules S. 3030, to authorize the Secretary of the Interior to develop, through the use of an experiment and demonstration plant, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate. pp. S8725-30

16. LAW. Passed with amendments H. R. 17864, to amend titles 5, 10, and 37 of the U. S. Code so as to incorporate recently enacted amendments. p. H8759
17. GUAM. Passed without amendment S. 3072, to authorize additional funds to complete the rehabilitation of the public sector of Guam from the devastation of World War II, and typhoons in 1962 and 1963. This bill will now be sent to the President. H. R. 16801, passed earlier under suspension of the rules was tabled. pp. H8732-4
18. NEGRO HISTORY. Passed, 263-45, under suspension of the rules H. R. 12962, to provide for the establishment of a Commission on Negro History and Culture. pp. H8745-49
19. FISHERIES. Passed with amendment S. 3866, to extend the provisions of the Commercial Fisheries Research and Development Act of 1964. H. R. 18808, a similar bill passed earlier under suspension of the rules, was tabled. pp. H8749-52
20. RECLAMATION. Passed under suspension of the rules S. 3058, to increase the authorization under title I of the Water Resources Planning Act, which establishes the Water Resources Council and specifies its authorities and responsibilities. p. H8753  
Passed under suspension of the rules S. 224, to make nonreimbursable the cost of rehabilitation of the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the earthquake in March 1964. pp. H8759-60
21. BUILDINGS; SAFETY. Rejected 197-135, a motion to suspend the rules and pass H. R. 2567, to require conditions of health and safety in construction using Federal funds. pp. H8687-95
22. PERSONNEL. H. R. 17934, to correct certain inequities and relieve certain liabilities arising out of overpayments to Government employees as a result of administrative error in the application of certain provisions of the Classification Act of 1949, the Federal Employees Salary Act of 1964, and other provisions of law; and H. R. 12881, to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, were passed over without prejudice. p. H8671
23. HUNGER. Rep. Battin criticized the administration of the food distribution programs. p. H8776
24. ROADS. Reps. Poff and Cramer deplored inclusion of cuts in the highway program in the expenditure cuts made necessary by provisions of the Revenue and Expenditure Control Act. pp. H8774-5, H8779-80
25. OVERSIGHT. Rep. Steiger called for oversight to prevent "wide-scale diversion and dissipation of antipoverty funds." p. H8774

The deterrent to finalizing this land exchange is a condition in the 1957 deed by which the State of Ohio acquired the Raccoon Forest from the U.S. Government. The deed states that the land conveyed is to be used for public purposes and if not so used it is to revert the Federal ownership. The lands to be acquired from the Mead Corp. in this exchange will be devoted to public use thus fulfilling this obligation of the deed as well as the provisions of the bill.

The purpose of H.R. 18033 is to remove the condition from the deed so that the exchange can be accomplished and the exchanged lands assimilated into the public use and management programs of the Zaleski State forest.

This legislation is supported by the Ohio Department of Natural Resources and the U.S. Forest Service. Furthermore, it will involve no cost to the Federal Government.

I ask for your support in this advantageous legislation.

**THE SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 18033

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.*

**SEC. 2.** The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

**SEC. 3.** Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

**SEC. 4.** Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an applica-

tion filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

**SEC. 5.** The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

**SEC. 6.** Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**MR. POAGE.** Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3687) to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the State of Ohio, and for other purposes.

**THE SPEAKER.** Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the Senate bill, as follows:

S. 3687

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States with respect to lands designated pursuant to section 2 hereof, the condition in a deed dated January 30, 1957, conveying lands in the State of Ohio to the State of Ohio, which requires that the lands so conveyed be used for public purposes and provides for a reversion of such lands to the United States if at any time they cease to be so used.*

**SEC. 2.** The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the State of Ohio or an authorized agency of the State in which such State or agency, in consideration of the release of such condition as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

**SEC. 3.** Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the State of Ohio for the use and benefit of the State by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

**SEC. 4.** Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full ad-

ministrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

**SEC. 5.** The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

**SEC. 6.** Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 18033) was laid on the table.

#### RELEASE OF CONDITION IN CONVEYANCE TO SOUTH CAROLINA STATE COMMISSION OF FORESTRY

The Clerk called the bill (H.R. 18207) to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands.

**THE SPEAKER.** Is there objection to the present consideration of the bill?

**MR. HALL.** Mr. Speaker, reserving the right to object, I would like to know, inasmuch as the committee report cites as comparable, similar legislation involving the University of Maine in the State of Maine; whether or not this property, once granted title in fee simple to South Carolina, is to be used by the University of South Carolina?

**MR. POAGE.** Mr. Speaker, if the gentleman will yield, the answer is "No." What this does, is to allow the State commissioner of forestry to sell certain land, to exchange certain land which the State had received from the Federal Government with the provision in the original grant that, when it ceased to be used for public purposes, it should revert to the United States.

We think what we are doing is carrying out the intent of the original grant, in that we are allowing them to exchange this for other land which is better suited for their purposes now, for public purposes, and we require in this bill that the land for which the Federal lands were exchanged shall be used for public purposes. So all we do is to allow the State to exchange this land which the Federal Government gave it for land which is now privately owned. We then let the State transfer the land which the Federal Government gave them into private ownership, but they have to continue to use the land which they thus acquire for the original purposes.

We do not change any of the purposes for which it can be used. We simply change the specific blocks. The land is in blocks and it gives the State a solid block by allowing them to make these transfers.

**MR. HALL.** Mr. Speaker, I appreciate

the gentleman's explanation. I understand the removal of the reverter-clause of the existing Government-owned land, and that we want to exchange parcels of land only.

Mr. Speaker, are the lands which are going to be exchanged in approximately similar amounts as to worth?

Mr. POAGE. They are not the same amounts of land, but approximately the same valuations are placed on the two blocks of land.

Mr. HALL. Would the gentleman not agree with me, under the paragraph entitled "Short Explanation" on page 2 of the report, wherein it states:

The bill is generally similar to Public Law 90-307, which provides for a similar release to the University of Maine.

That since the University of South Carolina is not using it the explanation is not a comparable simile or may be an overstatement of the fact.

Mr. POAGE. Well, I would say that it is generally similar, in that in each case the bill allows the transfer of land, which, without the bill, would require a reversion to the Federal Government. That much is certainly identical in the two cases. The exact usages of the land are not identical, because in the case of the University of Maine it was building lots where they wanted to build houses, and in the case of the Forestry Commission of South Carolina it is a forest use by the State. But the land which they acquire in each case will be used for the original purpose for which the original Federal land was granted.

Mr. HALL. Mr. Speaker, one further query:

There is no estimate given of the cost to the Federal taxpayers. I take it from the gentleman's statement that the land parcels being exchanged are of comparable value means there can be no expected cost to the U.S. Treasury; is that correct?

Mr. POAGE. That is the understanding of the Committee on Agriculture. As we see it if we have two tracts of land and still come up with the same value there is no cost to the Federal Government.

Mr. HALL. Mr. Speaker, another question—

Ordinarily in such bills there is a statement written into the legislation stating that miscellaneous receipts recovered will go to the U.S. Treasury. Is there any significance in the fact that the requirement for revenue received hereunder in this exchange is omitted from the bill?

Mr. POAGE. There will not be any revenue received by the Federal Government, nor paid out by the Federal Government, for that matter.

The Federal Government years ago granted certain lands to the State of South Carolina; that is, to their forestry department. It was provided if they ceased to use this land for these specific purposes it should revert to the Federal Government. The State of South Carolina finds that block A, which they received from the Federal Government, is substantially of the same value of block B, which belongs to John Doe, and that block B would serve their purposes

much better than block A. They, therefore, desire to transfer the land with Mr. Doe. They cannot make the transfer without this legislation.

This legislation merely permits them to make the transfer. There is no cost to the Federal Government. There are no receipts to the Federal Government.

Mr. HALL. Mr. Speaker, the gentleman's words are very reassuring, but the third requirement in the bill itself, written into the legislation, requires the Secretary of the Interior to convey mineral interests of the United States in such tract to the Commission at "fair market value," or \$1 per application, where the Secretary determines there is no active mineral interest. So, there could be funds involved here. Such a statement, it seems to me, that they would be recovered to the Treasury would be apropos in the event that the requirement numbered 3 was ever implemented.

Mr. POAGE. Unquestionably, there could be a small payment to the Federal Government. I had overlooked that possibility. In this case it would probably be a maximum of \$1 an acre.

This involves 72 acres of land, so the recovery to the Treasury would be about \$72. I am in error saying there is none.

It was such an insignificant amount that it was felt there was no need for writing instruction into the law, because such funds go into the general fund anyway. That is where all of these payments to the Federal Government go under the general law. They go to the general fund, and this would go to the general fund. We do provide in here that the State shall pay to the Federal Government either the market value or, if there is no market value, \$1 per acre for the minerals.

Mr. HALL. The gentleman is satisfied in his own mind that under this proposed legislation and in the event an oil pool is discovered under these interests subsequently that money would be recovered into the Treasury of the United States?

Mr. POAGE. No, sir. No, sir, I am not. I am satisfied that the State of South Carolina will at the present time, if this bill is passed, buy the mineral rights, and if there is no mineral development—and I do not understand that there is in that area—then they will pay the \$1 an acre, which is what is provided for in the bill. Having paid that \$1 an acre for the minerals in this land, they will either hold the mineral rights themselves or transfer them. We do not know which they will do. But if 100 years from now minerals are discovered there, the Federal Government will not have any interest in them. The purpose of this is to keep the minerals with the surface of the land. In the opinion of the Committee on Agriculture, one of the worst things we can do for the farmers all over this country is to separate the surface and the mineral estates on a permanent basis. We recognize there are reasons for separating them temporarily, but we see no reason for making a permanent separation between the minerals and the surface estate, because if you do, you will have all of the minerals of the United States

owned probably in a few large centers and none owned by the individual landowners. We are trying to keep the minerals with the land.

Mr. HALL. Mr. Speaker, I object very much to the failure to include the recovery into the Treasury of these moneys, but in view of the lucid explanation of the gentleman from Texas and his expertise in these matters, and his statement that it is a swap of what is generally determined to be comparable land values, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 18207

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release on behalf of the United States, with respect to the following-described lands, the condition contained in the deed dated June 28, 1955, between the United States of America and the South Carolina State Commission of Forestry, conveying, pursuant to such subsection, certain lands, of which such described lands are a part, to such commission, which requires that the lands conveyed be used for public purposes:*

A tract consisting of approximately seventy-two acres, being a portion of the five-hundred-and-ten-acre tract conveyed by such deed dated June 28, 1955, which is bounded on the south by the State Forestry Commission, on the east by McCray's Mill Club and E. T. Gullidge, on the north by the State Highway Numbered 763, and on the west by an unpaved county public road known as the Brunt Gin Road.

Sec. 2. The Secretary of Agriculture shall release the condition referred to in the first section of this Act only with respect to the lands comprising the tract of land described in such section (containing approximately seventy-two acres) and only after the Secretary of Agriculture and the South Carolina Commission of Forestry have entered into an agreement in which such commission, in consideration of the release of such condition, agree that the lands with respect to which such condition is released shall be exchanged for lands of comparable value and that the lands so acquired by exchange shall be subject to the condition with respect to the use of such lands for public purposes, contained in the deed referred to in the first section of this Act.

With the following committee amendment:

Page 2, line 13, delete all of section 2 and insert in lieu thereof the following sections:

"Sec. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

"Sec. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands

shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

**SEC. 4.** Each application made under the provision of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

**SEC. 5.** The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**Mr. POAGE.** Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3578) to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands, a similar bill to the one that the House just passed.

The Clerk read the title of the Senate bill.

**The SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3578

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release, on behalf of the United States, with respect to the following-described lands, the condition contained in the deed dated June 28, 1955, between the United States of America and the South Carolina State Commission on Forestry, conveying, pursuant to such subsection, certain lands, of which such described lands are a part, to such Commission, which requires that the lands conveyed be used for public purposes:*

A tract consisting of approximately seventy-two acres, being a portion of the five-hundred-and-ten-acre tract conveyed by such deed dated June 28, 1955, which is bounded on the south by the State Forestry Commission, on the east by McCray's Mill Club and E. T. Gullidge, on the north by the State Highway Numbered 763, and on

the west by an unpaved county public road known as the Brunt Gin Road.

**SEC. 2.** The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which such condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

**SEC. 3.** Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

**SEC. 4.** Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

**SEC. 5.** The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 18207) was laid on the table.

#### FLAMING GORGE NATIONAL RECREATION AREA, UTAH AND WYOMING

The Clerk called the bill (H.R. 15245) to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes.

**The SPEAKER.** Is there objection to the present consideration of the bill?

**Mr. GROSS.** Mr. Speaker, reserving the right to object, do I understand that this legislation is simply designed to consolidate the administration of this park and that there is no taking or projected taking of any land in exchange of land under the terms of this bill?

**Mr. ASPINALL.** Mr. Speaker, if the gentleman will yield to me—

**Mr. GROSS.** Yes; I yield to the gentleman from Colorado.

**Mr. ASPINALL.** The gentleman's understanding is correct. This simply changes the jurisdiction of the agency that could be in possession of the land

obtained and put it under the agency of the Forest Service.

**Mr. GROSS.** Mr. Speaker, I withdraw my reservation of objection.

**Mr. HARRISON.** Mr. Speaker, the bill before the House for consideration—H.R. 15245 to establish the Flaming Gorge National Recreation Area—is one of the outstanding public land and recreation measures of the 90th Congress.

It is a measure both simple and sensible. It promises immediate savings of some \$100 thousand by the simple expedient of consolidating authority for the area in a single agency, the Agriculture Department, and it gives official status to the national character of the two-State recreation area which encompasses some of the most magnificent scenery in Western America.

H.R. 15245, which I introduced in the House, will create a 201,250-acre recreation area of which slightly more than half is in the State of Wyoming. The balance is in our neighboring State of Utah.

The national recreation area has a vast potential for outdoor recreation and public enjoyment. The establishment of the area will be subject to the necessary operation of the Flaming Gorge Dam. The completion of the Flaming Gorge Dam in 1962 resulted in the formation of a large clear-water lake which rises some 450 feet above the riverbed and which will be some 90 miles in length. The area includes several miles of the flowing Green River and the open canyon below the dam. It extends upstream from the dam through steep canyon walls carved by the Green River through the Uinta Mountains, through the Flaming Gorge, and finally into southwestern Wyoming. In addition to the scenic beauty of the lake and adjacent areas, there are other attractions. A variety of animal species, including deer, elk, antelope, and upland game birds, attracts thousands of sportsmen annually to the region. Recreational use of the area will include boating, fishing, swimming, camping, picnicking, hiking, horseback riding, hunting, and water skiing.

The area has already become a major tourist attraction. The annual public visitation of the area has exceeded one-half million visitor days. Since more than 1½ million persons reside within a 250-mile radius of the area, recreational use of the area could exceed 1 million visitor days annually by 1970.

When I testified July 26, 1968, before the Subcommittee on National Parks and Recreation, I asserted that this legislation will be of direct benefit to the Nation and particularly to the 1½ million persons who live within a 250-mile radius of Flaming Gorge.

I am pleased that the House has retained the clarifying amendment added to the bill by the Senate—and supported by the Congressman from Wyoming—to reaffirm the jurisdiction of the States of Wyoming and Utah in game and fish matters on the lands of the Flaming Gorge.

I commend the able chairman of the House Interior and Insular Affairs Committee—my good friend [Mr. ASPINALL] for taking action on this measure so that

efforts to date to create the Flaming Gorge National Recreation Area will come to fruition rather than frustration in this final session of the 90th Congress and I call upon the Congress to give H.R. 15245 full support.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 15245

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in furtherance of the purposes of the Colorado River storage project, for the public outdoor recreation use and enjoyment of the Flaming Gorge Reservoir and the surrounding lands in the States of Utah and Wyoming and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Flaming Gorge National Recreation Area in the States of Utah and Wyoming (hereinafter referred to as the "recreation area"). The boundaries of the recreation area shall be those shown on the map entitled "Proposed Flaming Gorge National Recreational Area," which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.*

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in a manner coordinated with other purposes of the Colorado River storage project, and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote or are compatible with, and do not significantly impair the purposes for which the recreation area is established: *Provided*, That lands or waters needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 3. Within six months after the effective date of this Act, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided*, That the total acreage of the recreation area within the adjusted boundary does not exceed the acreage of the recreation area as shown on the map referred to in section 1 hereof.

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

SEC. 5. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interests in lands within the recreation area in the manner prescribed

by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 24, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the purposes of the Colorado River storage project and the Secretary of Agriculture finds that such disposition would not have significant adverse effects on the administration of the recreation area: *Provided*, That any lease or permit respecting such minerals in the recreation area shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section for removal of nonleasable minerals shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for receipts from national forests. Any receipts derived from permits or leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act.

SEC. 6. The boundaries of the Ashley National Forest are hereby extended to include all of the lands not presently within such boundaries lying within the recreation area as described in accordance with sections 1 and 3 of this Act.

SEC. 7. Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Colorado River storage project within the exterior boundaries of the recreation area which have not heretofore been added to and made a part of the Ashley National Forest, and all lands of the United States acquired for the purpose of the recreation area, are hereby added to and made a part of the Ashley National Forest: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 8. Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

SEC. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

With the following committee amendments:

On page 3, line 18, add a new sentence to read: "Nothing in this Act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing."

On page 4, line 12, strike out 'administration' and insert 'purposes'.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 444) to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 444

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in furtherance of the purposes of the Colorado River storage project, for the public outdoor recreation use and enjoyment of the Flaming Gorge Reservoir and surrounding lands in the States of Utah and Wyoming and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Flaming Gorge National Recreation Area in the States of Utah and Wyoming (hereinafter referred to as the "recreation area"). The boundaries of the recreation area shall be those shown on the map entitled "Proposed Flaming Gorge National Recreation Area," which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.*

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in a manner coordinated with the other purposes of the Colorado River storage project, and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote or are compatible with, and do not significantly impair the purposes for which the recreation area is established: *Provided*, That lands or waters needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 3. Within six months after the effective date of this Act, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided*, That the total acreage of the recreation area within the adjusted boundary does not exceed the acreage of the recreation area as shown on the map referred to in section 1 hereof.

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Nothing in this Act shall affect the jurisdiction or responsi-







Public Law 90-517  
90th Congress, S. 3578  
September 26, 1968

An Act

82 STAT. 871

To direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such Commission, subject to a certain condition, to exchange such lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of subsection (c) of section 32 of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1011(c)), the Secretary of Agriculture is authorized and directed to release, on behalf of the United States, with respect to the following-described lands, the condition contained in the deed dated June 28, 1955, between the United States of America and the South Carolina State Commission of Forestry, conveying, pursuant to such subsection, certain lands, of which such described lands are a part, to such Commission, which requires that the lands conveyed be used for public purposes:

A tract consisting of approximately seventy-two acres, being a portion of the five-hundred-and-ten-acre tract conveyed by such deed dated June 28, 1955, which is bounded on the south by the State Forestry Commission, on the east by McCray's Mill Club and E. T. Gullledge, on the north by the State Highway Numbered 763, and on the west by an unpaved county public road known as the Brunt Gin Road.

SEC. 2. The Secretary shall release the condition referred to in the first section of this Act only with respect to lands covered by and described in an agreement or agreements entered into between the Secretary and the South Carolina Commission of Forestry in which such State agency, in consideration of the release of such conditions as to such lands, agrees that the lands with respect to which condition is released shall be exchanged for lands of approximately comparable value and that the lands so acquired by exchange shall be used for public purposes.

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land released pursuant to this Act from the condition as to such lands shall be conveyed to the South Carolina Commission of Forestry for the use and benefit of the Commission by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of \$1. In other areas, the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of section 3 of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

South Carolina,  
Lands convey-  
ance deed, re-  
lease of con-  
dition.  
50 Stat. 525;  
56 Stat. 725.

82 STAT. 872

"Administrative  
costs."

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

Approved September 26, 1968.

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LEGISLATIVE HISTORY:

HOUSE REPORT No. 1848 accompanying H.R. 18207 (Comm. on Agriculture).  
SENATE REPORT No. 1380 (Comm. on Agriculture and Forestry).  
CONGRESSIONAL RECORD, Vol. 114 (1968):

July 17: Considered and passed Senate.

Sept. 16: Considered and passed House, in lieu of H. R. 18207.